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United States of America

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

In re: Marijuana Possession Dismissals
Pursuant to October 6, 2022, Presidential
Proclamation Pardoning Individuals for the
Offense of Simple Possession of Marijuana

UNITED STATES'S MOTION TO DISMISS AND
RECALL BENCH WARRANTS;
ORDER

Dismissal of Marijuana Possession Cases Pursuant to Presidential Pardon

By a presidential proclamation on October 6, 2022, President Biden announced a pardon for federal misdemeanor marijuana possession offenses.¹ Pursuant to that presidential pardon and Rule 48(a) of the Federal Rules of Criminal Procedure, plaintiff United States of America, by and through its undersigned attorney, hereby moves this Honorable Court for an Order dismissing the 196 misdemeanor marijuana possession cases listed in Exhibit A to this motion, and to recall all associated warrants.

The list below contains those Eastern District of California marijuana possession cases that the U.S. Attorney's office has identified to date as still pending before the Sacramento division of the

¹ See <https://www.whitehouse.gov/briefing-room/presidential-actions/2022/10/06/granting-pardon-for-the-offense-of-simple-possession-of-marijuana/> (last accessed August 7, 2023).

1 district, including Redding, that have assigned ECF case numbers. Many of these cases remain open
2 because they are in warrant status. Consistent with President Biden's proclamation, the government
3 therefore requests that this Court order dismissal of these cases and recall of all associated warrants.

4 Respectfully submitted,

5 Dated: August 8, 2023

6 PHILLIP A. TALBERT
7 United States Attorney

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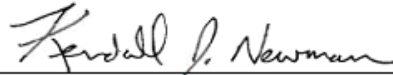
CHRISTOPHER S. HALES
10 Assistant United States Attorney

11
12 **ORDER**

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14 As Chief Magistrate Judge for the Eastern District of California, and pursuant to the motion of
15 the United States, I hereby order dismissal of each misdemeanor marijuana possession case listed below
16 in Exhibit A, and the recall of all warrants associated with each case. I further direct the Clerk of the
17 Court to file a copy of this signed order in each of the cases listed below.

18 IT IS SO ORDERED.

19 Dated: August 9, 2023

20 

21

KENDALL J. NEWMAN
22 UNITED STATES MAGISTRATE JUDGE

Exhibit A
List of Cases to be Dismissed

| | ECF Case Number | Defendant |
|----|-------------------|-----------------------------|
| 1 | 2:17-PO-00495-DB | Jose Rosas |
| 2 | 2:18-PO-00011-AC | Frank Martinez |
| 3 | 2:18-PO-00138-AC | Daniel R. Carlson |
| 4 | 2:18-PO-00149-DB | Robert Mesta |
| 5 | 2:18-PO-00331-DB | Kevin B. Cowan |
| 6 | 2:19-PO-00032-AC | Cherish Carter |
| 7 | 2:19-PO-00304-DB | Joshua N. Stark |
| 8 | 2:20-PO-00038-AC | Aron Daniel |
| 9 | 2:20-PO-00040-AC | Michael V. Dzigorski |
| 10 | 2:20-PO-00205-KJN | Scott S. Barrett |
| 11 | 2:20-PO-00300-EFB | Mario Bargas |
| 12 | 2:20-PO-00462-DB | Shaundell M. Hatcher-Harris |
| 13 | 2:20-PO-00479-CKD | Jasmine Moschell |
| 14 | 2:20-PO-00562-CKD | Robert Williams |
| 15 | 2:20-PO-00602-DB | Thomas Hasch |
| 16 | 2:21-PO-00159-AC | Zachary J. Noack |
| 17 | 2:21-PO-00195-DB | Anthony Wright |
| 18 | 2:21-PO-00274-CKD | Winston Jackson |
| 19 | 2:21-PO-00282-CKD | Kurt Smith |
| 20 | 2:21-PO-00369-JDP | Michael R. Block |
| 21 | 2:21-PO-00390-JDP | Michael Meletiou |
| 22 | 2:21-PO-00395-JDP | Hosanna Perez |
| 23 | 2:21-PO-00405-JDP | Allen White |
| 24 | 2:21-PO-00421-AC | Donald Clontz |
| 25 | 2:21-PO-00442-AC | Robert T. Ocoboc |
| 26 | 2:21-PO-00475-KJN | Harold Deaulette |
| 27 | 2:22-PO-00020-KJN | Michael A. Heller |
| 28 | 2:22-PO-00235-DB | Michael Binder |
| 29 | 3:16-PO-00006-CMK | Mindy J. Gaede |
| 30 | 3:16-PO-00008-CMK | Tonka Gritts |
| 31 | 3:16-PO-00016-CMK | Johnny C. Lor |
| 32 | 3:16-PO-00019-CMK | Stephen Lundquist |
| 33 | 3:16-PO-00021-CMK | Warren Martin |
| 34 | 3:16-PO-00026-CMK | Dwayne Meyers |
| 35 | 3:16-PO-00034-CMK | Johnny Lou |

| | ECF Case Number | Defendant |
|----|-------------------|---------------------------|
| 36 | 3:16-PO-00073-CMK | Oliver Fresquez |
| 37 | 3:16-PO-00111-CMK | Ronald Kistle |
| 38 | 3:16-PO-00133-CMK | William Carter |
| 39 | 3:16-PO-00135-CMK | Jeremy Deleal |
| 40 | 3:16-PO-00176-CMK | Peter S. Graf |
| 41 | 3:16-PO-00196-CMK | Gregory Crater |
| 42 | 3:16-PO-00213-CMK | John Moreno |
| 43 | 3:16-PO-00216-CMK | Silvestre Nevarez |
| 44 | 3:16-PO-00242-CMK | Thomas Bailey |
| 45 | 3:16-PO-00457-CMK | Tory Smith |
| 46 | 3:16-PO-00502-CMK | Larry E. Sipes |
| 47 | 3:16-PO-00521-CMK | Anthony E. Deal |
| 48 | 3:16-PO-00552-CMK | Lee Khang |
| 49 | 3:16-PO-00571-CMK | Madison E. Bonnel |
| 50 | 3:16-PO-00573-CMK | Rogelio Deival-Riggs |
| 51 | 3:16-PO-00581-CMK | Warren Martin |
| 52 | 3:16-PO-00584-CMK | William C. Moon |
| 53 | 3:16-PO-00603-CMK | James E. Crosley |
| 54 | 3:16-PO-00609-CMK | Devin C. Johnson |
| 55 | 3:16-PO-00627-CMK | William R. Winstead |
| 56 | 3:16-PO-00629-CMK | Emillano D. Herrera-Anaya |
| 57 | 3:17-PO-00045-CMK | Tanyia E. Callahan |
| 58 | 3:17-PO-00050-CMK | Davis L. Cutter |
| 59 | 3:17-PO-00059-CMK | Tiffany Haner |
| 60 | 3:17-PO-00064-CMK | Rosser L. Jones |
| 61 | 3:17-PO-00069-CMK | Joshua A. Levi |
| 62 | 3:17-PO-00081-CMK | Eric L. Milam |
| 63 | 3:17-PO-00087-CMK | Justin T. Resmondo |
| 64 | 3:17-PO-00090-CMK | Lai H. Saeyang |
| 65 | 3:17-PO-00093-CMK | Danford L. Schow |
| 66 | 3:17-PO-00155-CMK | Robert A. Edwards |
| 67 | 3:17-PO-00166-CMK | Joseph V. Trevino |
| 68 | 3:17-PO-00167-CMK | Paul Vaughan |
| 69 | 3:17-PO-00171-CMK | James M. Atwood |
| 70 | 3:17-PO-00172-CMK | Michael A. Fontes |
| 71 | 3:17-PO-00177-CMK | Michael B. Yingling |
| 72 | 3:17-PO-00210-CMK | William A. Abrego |
| 73 | 3:17-PO-00224-CMK | Charles M. Niemeien |
| 74 | 3:17-PO-00227-CMK | Amy Tiner |
| 75 | 3:17-PO-00229-CMK | Kevin L. Turner |
| 76 | 3:17-PO-00242-CMK | Tianna M. Lee |

| | ECF Case Number | Defendant |
|-----|-------------------|-----------------------------|
| 77 | 3:17-PO-00259-CMK | Travis A. Gendreau |
| 78 | 3:17-PO-00328-CMK | Marcus A. Collins |
| 79 | 3:17-PO-00336-CMK | Gary S. Due |
| 80 | 3:17-PO-00345-CMK | Sergio Guerrero Jr |
| 81 | 3:17-PO-00353-CMK | Zachary T. Hobbs |
| 82 | 3:17-PO-00355-CMK | Robert A. Jones Jr |
| 83 | 3:17-PO-00360-CMK | Katie V. Lucas |
| 84 | 3:17-PO-00361-CMK | Alexandrya MagdalenoChapman |
| 85 | 3:17-PO-00368-CMK | James Pawlyk |
| 86 | 3:17-PO-00374-CMK | Christopher W. Rathja Jr |
| 87 | 3:17-PO-00386-CMK | Nicholas Schave |
| 88 | 3:17-PO-00393-CMK | Jodie A. Teal |
| 89 | 3:17-PO-00395-CMK | Justin L. Wade |
| 90 | 3:17-PO-00396-CMK | Franklin A. Williams |
| 91 | 3:17-PO-00451-CMK | Rodney W. Young |
| 92 | 3:17-PO-00508-CMK | Sarah S. Hayburn |
| 93 | 3:17-PO-00598-CMK | Giovanni A. Cabrera-Caicedo |
| 94 | 3:17-PO-00622-CMK | Antonio J. Ramirez |
| 95 | 3:17-PO-00629-CMK | Ruben Vargas |
| 96 | 3:17-PO-00661-CMK | Gary T. Haren |
| 97 | 3:17-PO-00670-CMK | Brandon Birron |
| 98 | 3:17-PO-00675-CMK | Alexander W. Calvert |
| 99 | 3:17-PO-00682-CMK | Carlos X. Cruz |
| 100 | 3:17-PO-00693-CMK | James O. Hamilton II |
| 101 | 3:17-PO-00696-CMK | Eric L. Hatfield |
| 102 | 3:17-PO-00703-CMK | Larry Laird |
| 103 | 3:17-PO-00712-CMK | Jaime E. Montana Equihua |
| 104 | 3:17-PO-00720-CMK | Sarah E. Preston |
| 105 | 3:17-PO-00726-CMK | Evan Stowers |
| 106 | 3:18-PO-00038-CMK | Lorrie M. Robinson |
| 107 | 3:18-PO-00041-CMK | Amber Yates |
| 108 | 3:18-PO-00050-CMK | Albert Hernandez |
| 109 | 3:18-PO-00086-CMK | Jeffrey J. Quinlain |
| 110 | 3:18-PO-00096-CMK | Jon W. Payne |
| 111 | 3:18-PO-00097-CMK | Roy J. Petersen |
| 112 | 3:18-PO-00102-CMK | Franklin A. Patty |
| 113 | 3:18-PO-00114-CMK | Nhou C. Vang |
| 114 | 3:18-PO-00123-CMK | Charles K. Day |
| 115 | 3:18-PO-00178-CMK | Bobby Manjoet |
| 116 | 3:18-PO-00262-DMC | Michael J. Singer |
| 117 | 3:18-PO-00281-DMC | Daniel R. Bordner |

| | ECF Case Number | Defendant |
|-----|-------------------|----------------------------|
| 118 | 3:18-PO-00291-DMC | Nicholas P. Johnson |
| 119 | 3:18-PO-00305-DMC | Tou Thao |
| 120 | 3:18-PO-00340-DMC | Caleb L. Centeno |
| 121 | 3:18-PO-00342-DMC | Darrin R. Dickson |
| 122 | 3:18-PO-00346-DMC | John A. Gray Jr |
| 123 | 3:18-PO-00353-DMC | Jackson C. Kircher |
| 124 | 3:18-PO-00357-DMC | Tracy A. Line |
| 125 | 3:18-PO-00361-DMC | Maguel K. Mendez |
| 126 | 3:18-PO-00368-DMC | Casey J. Rowland |
| 127 | 3:18-PO-00371-DMC | Deborah Stein |
| 128 | 3:18-PO-00376-DMC | Antonia D. Bautist-Adalson |
| 129 | 3:18-PO-00382-DMC | Jullian J. Haymon |
| 130 | 3:18-PO-00387-DMC | Kiel Laubisch |
| 131 | 3:18-PO-00396-DMC | Ton Fow Saephan |
| 132 | 3:18-PO-00401-DMC | Deon M. Stanford |
| 133 | 3:18-PO-00418-DMC | Jose F. Mendoza |
| 134 | 3:18-PO-00421-DMC | Rachel I. Rabago |
| 135 | 3:18-PO-00423-DMC | Eberto Tafolla-Solorio |
| 136 | 3:18-PO-00426-DMC | Ethan J. Willison |
| 137 | 3:18-PO-00427-DMC | Riley E. Young |
| 138 | 3:18-PO-00441-DMC | Brian J. Schricker |
| 139 | 3:19-PO-00062-DMC | Aaron D. Hightower |
| 140 | 3:19-PO-00064-DMC | Richard E. Kiser Jr |
| 141 | 3:19-PO-00082-DMC | Michael A. Crist |
| 142 | 3:19-PO-00125-DMC | Danny Pitcher |
| 143 | 3:19-PO-00141-DMC | Fermin C. Salas Jr |
| 144 | 3:19-PO-00227-DMC | Christina M. Halcon |
| 145 | 3:19-PO-00228-DMC | Billy W. Larkins |
| 146 | 3:19-PO-00264-DMC | Candice R. Beals |
| 147 | 3:19-PO-00267-DMC | Ismael Caro Jr |
| 148 | 3:20-PO-00002-DMC | Christian C. Arguello |
| 149 | 3:20-PO-00005-DMC | Daniel R. Bowman |
| 150 | 3:20-PO-00008-DMC | Jerry W. Cox |
| 151 | 3:20-PO-00009-DMC | Nathaniel E. Craig |
| 152 | 3:20-PO-00013-DMC | Rachelle L. Munoz |
| 153 | 3:20-PO-00020-DMC | Troy C. Tolan |
| 154 | 3:20-PO-00040-DMC | Santiago D. Ibanez |
| 155 | 3:20-PO-00137-DMC | James Thomas |
| 156 | 3:20-PO-00216-DMC | Jose U. Alvarez-Madrigal |
| 157 | 3:20-PO-00232-DMC | Julie M. Byers |
| 158 | 3:20-PO-00273-DMC | Zachary M. Hancock |

| | ECF Case Number | Defendant |
|-----|-------------------|------------------------|
| 159 | 3:20-PO-00281-DMC | Adrian L. Henson |
| 160 | 3:20-PO-00282-DMC | Jon U. Hershman |
| 161 | 3:20-PO-00291-DMC | Jesse C. Keisner |
| 162 | 3:20-PO-00315-DMC | Jason F. Munoz |
| 163 | 3:20-PO-00349-DMC | Steven W. Schick |
| 164 | 3:20-PO-00363-DMC | Dustin W. Webster |
| 165 | 3:20-PO-00395-DMC | Arthur Chacon |
| 166 | 3:20-PO-00414-DMC | Vincent Galindo |
| 167 | 3:20-PO-00428-DMC | Shane L. Hayes |
| 168 | 3:20-PO-00449-DMC | Matthew C. Morrison |
| 169 | 3:20-PO-00477-DMC | Kevin L. Son |
| 170 | 3:21-PO-00010-DMC | Simon L. Bigall |
| 171 | 3:21-PO-00022-DMC | Ashley Hitcher |
| 172 | 3:21-PO-00063-DMC | Robert J. McMaster |
| 173 | 3:21-PO-00072-DMC | Jim H. Harper |
| 174 | 3:21-PO-00077-DMC | Juan Perez |
| 175 | 3:21-PO-00111-DMC | Jose J. Esparza |
| 176 | 3:21-PO-00119-DMC | Jon W. Graham |
| 177 | 3:21-PO-00136-DMC | Levi M. Rogers |
| 178 | 3:21-PO-00158-DMC | Rebecca Clarke |
| 179 | 3:21-PO-00175-DMC | Jade S. Wilt |
| 180 | 3:21-PO-00183-DMC | Milton L. Booker |
| 181 | 3:21-PO-00193-DMC | Johnny W. Gragg |
| 182 | 3:21-PO-00195-DMC | David W. Griffin |
| 183 | 3:21-PO-00290-DMC | Tia A. Smith |
| 184 | 3:21-PO-00324-DMC | Colton Hastings |
| 185 | 3:21-PO-00345-DMC | Adrienne J. Blake |
| 186 | 3:22-PO-00018-DMC | Brian D. Tynes |
| 187 | 3:22-PO-00030-DMC | Anthony Jimenez |
| 188 | 3:22-PO-00043-DMC | Michael J. McDonald |
| 189 | 3:22-PO-00065-DMC | Eli J. Hancock |
| 190 | 3:22-PO-00105-DMC | Christopher L. Simmons |
| 191 | 3:22-PO-00117-DMC | Sean Roccoforte |
| 192 | 3:22-PO-00222-DMC | Valeria C. Diaz |
| 193 | 3:22-PO-00231-DMC | Peter J. Grundig |
| 194 | 3:22-PO-00245-DMC | Domanick W. Rawlins |
| 195 | 3:22-PO-00262-DMC | Brandy L. Bemis |
| 196 | 3:22-PO-00273-DMC | Karolina Hajdas |